

Amendment under 37 C.F.R. §1.116  
Serial No. 10/765,187  
Docket No. 042049

### **REMARKS**

Claims 1-9 are pending in the above-identified application. Claims 1 is amended. Claims 4-9 were previously withdrawn. It is respectfully submitted that this Amendment is fully responsive to the Office Action dated October 12, 2005. Accordingly, Applicants respectfully request that the Examiner allow claims 1-3.

Claims 1 and 2 were rejected under 35 U.S.C. §102(b) as being anticipated by *Aoki et al.* (U.S. Pat. No. 6,407,982). To expedite prosecution and clarify the invention, Applicants hereby amend claim 1 to emphasize that *the tray comprises a holder attached to a forward-end center section of the tray*. Support for such a limitation can be found, for example, on pages 9 and 10 of the Specification. Anticipation requires the presence in a single prior art reference the disclosure of each and every element of the claimed invention, arranged as in the claim. Here, for example, *Aoki et al.*, fails to disclose *a holder attached to a forward-end center section of the tray*, so the rejection is unsupported by the art and should be withdrawn.

*Aoki et al.*, for example, describes securing the disc with four projections “formed symmetrically with respect to the central line P1 of the disc tray 1.” [See column 9, lines 4-29 of *Aoki et al.*, which discloses that four engagement projections 5 and 6 are formed (i.e., “engagement projections 5 and 6 for preventing separation of the disc are formed at the outer ends of the opened side of the disc-receiving recess 2... (and) another pair of...engagement projections 5 and 6 are formed adjacent to the rear end 1b of the disc tray 1.”)] Accordingly, Applicants respectfully request that the Examiner allow claims 1-3.

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Claim 3 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Aoki et al.* (U.S. Pat. No. 6,407,982) in view of *Yao* (U.S. Pat. No. 6,050,848). Claim 3 depends from independent claim 1 and should likewise be allowable by nature of dependency in view of the above remarks and amendment.

In view of the aforementioned amendments and accompanying remarks, Applicants respectfully submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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